

**WASHINGTON STATE HUMAN RIGHTS COMMISSION
MEETING OF
February 27-28, 2003
Tacoma Rhodes Center
Tacoma, WA**

MINUTES

THURSDAY, FEBRUARY 27

ATTENDANCE

Commissioners: Rudy Vasquez, Chair; Charlotte Coker; Ellis Casson; Dallas Barnes; and J. Reiko Callner.

Staff: Susan (Sue) J. Jordan, Executive Director; Regina Hook, Operations Manager; and Tanya Calahan, Commission Clerk.

Guests: Darcy Lees; Office of the Superintendent of Public Instruction; Constance Denson-Hamilton, US Department of Education, Office of Civil Rights; and Christina Guillen-Cook, Commission on Hispanic Affairs.

(Audio tape one – side one)

OPENING AND WELCOME

Commissioner Vasquez called the meeting to order at 7 p.m. Commissioners, staff, and guests introduced themselves. He spoke about the Commission's role in bringing community groups together to talk about issues they face. He also highlighted the Joint Policy Statement on Equity in Education signed by the Commission, the Office of the Superintendent of Public Instruction, and the State Board of Education.

US DEPARTMENT OF EDUCATION PRESENTATION

Contance Denson Hamilton presented information about US Department of Education (DOE), Office of Civil Rights (OCR) including its roles and responsibilities.

She spoke about OCR's complaint process. The statute of limitations is 180 days from the date you knew or should have known discrimination took place. Individuals do not have to have a child enrolled in school to file a complaint. Any concerned individual may file a complaint. OCR takes and keeps complaints that have a direct impact on the education of children. Settlement agreements are used often to resolve complaints.

OCR provides technical assistance to school districts.

OFFICE OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION - PRESENTATION

Darcy Lees spoke about her role at the Office of the Superintendent of Public Instruction (OSPI).

She provides technical assistance to school districts throughout the state of Washington. She spoke about affirmation action and goal setting. School districts are required to submit affirmative action plans to OSPI. She handed out a copy of OSPI's Affirmative Action Plan Status Report. Some school districts are out of compliance with this requirement.

Discussion ensued about school district anti harassment policies. Ms. Lees pointed out the potential liability for school districts that do not have policies in place to deal with complaints.

Discussion took place about the "Bully Bill." Ms. Lees commented about the WA State School Safety Center within OSPI. Ms. Denise Fitch is the Administrator for the SSC. SSC has model policies and procedures and training materials to deal with bullying and harassment.

There being no further business, the meeting adjourned at 8:40 p.m.

Respectfully submitted,

Tanya Y. Calahan
Commission Clerk

FRIDAY, FEBRUARY 28, 2003

ATTENDANCE

Commissioners: Rudy Vasquez, Chair, Charlotte Coker, Ellis Casson, Dallas Barnes, and J. Reiko Callner. A quorum was present.

Staff: Susan (Sue) J. Jordan, Executive Director; Dariush (D.K.) Khaleghi, Deputy Director; Regina Hook, Cheryl Strobert, and Berneta Walraven, Operations Managers; Tanya Calahan, Commission Clerk; Susan Carlson, Assistant Attorney General; David Hamilton; Susan Ramsauer; Janice Whitman; David Clayborn; Laurie Rasmussen; and Eleanor Winkler, Equal Opportunity Compliance Investigators.

Guests: Dee Endelman, Agreement Dynamics, Inc.

(Audio tape one - side one)

OPENING AND WELCOME

Commissioner Vasquez called the meeting to order at 9 a.m. He then announced that the Commissioners will hold an executive session at 1 p.m.

CONSIDERATION OF THE MINUTES OF JANUARY 30-31, 2003

Commissioner Callner made a motion to approve the minutes of the January 30-31, 2003 Commission meeting. Commissioner Coker seconded the motion. MOTION CARRIED.

CONSIDERATION OF ACTION ITEMS

Executive Director Sue Jordan reviewed action items from the January 30-31, 2003 Commission meeting.

Staff is finalizing the Farm worker forum report. Commission Clerk Tanya Calahan will work with Operations Manager Berneta Walraven on finalizing the report. Ms. Calahan will provide a copy of the final report to the Commissioners prior to printing. The report will be printed in Spanish and English.

Commissioner Callner commented about a letter of appreciation submitted by a complainant regarding Equal Opportunity Compliance Investigators Laura Lindstrand and Laurie Rasmussen.

Deputy Director Dariush (D.K.) Khaleghi suggested that the agency establish a formal recognition program.

CASE LIST

Commissioner Barnes expressed concern regarding four cases filed against WA State Lottery Commission. Those cases are Syverson v. WA State Lottery Commission; Williams v. WA State Lottery Commission; Darby v. WA State Lottery Commission; and Poulin v. WA State Lottery Commission. Commissioner Barnes then made a motion that the Commission set aside the no reasonable cause findings for these four cases against WA State Lottery Commission. Commissioner Coker seconded the motion. MOTION CARRIED.

Commissioner Barnes asked about the proper protocol for asking staff questions about specific cases. Discussion ensued about the proper protocol for asking staff to respond to questions about cases. Commissioner Vasquez requested that Commissioners ask case questions in writing. The other Commissioners should get copies of the questions.

Commissioner Casson suggested that questions not go to both the Executive Director and Deputy Director. One of them should be designated.

Commissioner Coker suggested that Commissioners ask more simple questions at the Commission meeting. More complex questions can be asked in writing.

Commissioner Callner suggested that the Commissioners provide questions to staff about cases as soon as possible.

Commissioner Callner made a motion to approve the amended case list for the period of January 25-February 21, 2003, with the exception of the four cases filed against WA State Lottery Commission that were set aside. Commissioner Coker seconded the motion. MOTION CARRIED.

INFORMAL COMMISSION ASSESSMENT

Dee Endelman highlighted talking points to cover with the Commission. She handed out a document explained the talking points.

She pointed out that the informal assessment was not a fact finding process rather she was looking at individual perceptions and perspectives.

She spoke about various issues that came up during the assessment. The issues include differing opinions about what is policy and what is operational, differences regarding approach to roles and responsibilities, communication problems, and trust issues.

Ms. Endelmen suggested that the Commission hold a facilitated conversation to identify and address issues. Executive Director Sue Jordan will work with Ms. Endelman to coordinate a planning session for the Commissioners.

EXECUTIVE DIRECTOR'S REPORT

Executive Director Sue Jordan reviewed her written monthly Executive Director's report.

Ms. Jordan spoke about the US Department of Housing and Urban Development's (HUD) audit report of the agency. The Commission receives \$1800 per case plus an additional \$500 for reasonable cause findings.

She commented about the decreasing number of housing discrimination complaints. A fair housing impediments study was conducted to assess why complaints have decreased. She will provide a copy of the report to the Commissioners.

The Fair Housing Initiatives Grant from HUD ends February 28, 2003. In answer to Commissioner Barnes' questions regarding continuing the momentum of the FHIP grant, Ms. Jordan commented that staff will continue to reach out to monolingual communities. Equal Opportunity Compliance Specialist Idolina Reta is assisting in this effort.

(Tape one – side two)

Ms. Jordan shared information regarding the budget cuts. Commissioner Vasquez requested that staff provide information regarding priorities of budget cuts including budget cut scenarios and a financial statement for the agency. He commented that the Commission needs enough information for "big picture" planning and enough information to make decisions.

Commissioner Barnes also requested that staff provide the Commission more information regarding the budget. He commented that the budget priorities are policy decisions for the Commissioners and not agency management.

Commissioner Vasquez commented about the need to have a balance between the Eastern and Western side of the state. He identified vulnerable populations as priorities.

Discussion ensued about the structure of the Commission's offices. Comments were made about the distribution of staff among the Commission's offices, the lack of a manager in the Spokane office, the high rent in downtown Seattle for office space (\$107,000 per year), and disparities in service around the state. A concern about whether or not an operations manager is needed in the Spokane office was addressed.

Commissioner Callner asked about the "sexual orientation bill" that is before the Washington State Legislature. She asked whether the Commission can lobby regarding legislation. Assistant Attorney General Susan Carlson commented that the Commission could lobby regarding legislation that directly affects the work of the Commission.

Commissioner Callner requested that the Commission discuss whether the Commission can lobby on the March 2003 Commission meeting agenda. Discussion regarding the protocol and political ramifications should be included in the discussion.

The “sexual orientation bill” will be included under New Business later in the day’s agenda.

EXECUTIVE SESSION

Commissioner Vasquez announced that the Commissioners will enter an executive session from 1 p.m. to 1:30 p.m. to discuss a complaint against an employee. The executive session commenced at 1 p.m.

The regular Commission meeting reconvened at 1:34 p.m. Commissioner Callner then made a motion that the Commission stay its decision to respond to the WA Federation of State Employee’s (WFSE) December 17, 2002 letter. The Commission will gather more information by informal means before the Commission decides whether a formal response to WFSE is needed. Commissioner Casson seconded the motion. MOTION CARRIED.

Commissioner Callner made a motion that the Commission send a letter to acknowledge WFSE’s December 17, 2002 letter under Commissioner Vasquez’s signature. Commissioner Casson seconded the motion. MOTION CARRIED.

NEW BUSINESS

Commissioner Callner commented about the March 27, 2003 Commission community meeting. She spoke about the Commission sponsoring an informational event regarding the implementation of the “Bully Bill.” The Commission can invite various community groups to the meeting to discuss implementation of the bill.

Commissioner Casson made a motion that the Commission sponsor a community meeting regarding the “Bully Bill.” Commissioner Coker seconded the motion. MOTION CARRIED.

Commissioner Vasquez spoke about the City of Woodland and their efforts regarding the “Bully Bill.” He will send a letter of acknowledgement to them.

After discussion, the Commission agreed to hold its October 2003 Commission meeting in Pasco.

Executive Director Sue Jordan will coordinate a Coalition Against Bigotry and Bias (CABB) meeting in the afternoon on March 27, 2003 in Olympia.

(Tape two – side one)

Commissioner Callner suggested that the Commission take a stand on the “sexual orientation bill”. Commissioner Casson requested background information so it could be

addressed at the next Commission meeting. Commissioner Callner suggested that the Commission find a way to be supportive of such a law.

There being no further business the meeting adjourned at 2:02 p.m.

Respectfully submitted,

Tanya Y. Calahan
Commission Clerk

ACTION ITEMS
FEBRUARY 27-28, 2003 COMMISSION MEETING

1. **Item:** Executive Director Sue Jordan will coordinate a planning session with Dee Endelman of Agreement Dynamics Inc. for the Commissioners.

Status: The session is scheduled for April 30, 2003.

2. **Item:** Sue Jordan will provide a copy of the Fair Housing Impediments study to the Commissioners.

Status: A copy will be provided to the Commissioners at the March 28, 2003 Commission meeting.

3. **Item:** Commissioner Vasquez requested that Management provide the Commissioners information regarding priorities of budget cuts, an agency financial statement, and different budget cut scenarios.

Status: Information was mailed to all Commissioners on March 24, 2003.

4. **Item:** Commissioner Coker requested that a copy of the draft "Talking Points" go in the Commissioner Orientation Manual now and a final one when the draft is final. The talking points explain various aspects of the agency's work and jurisdiction and staff will use it for outreach.

Status: The draft document is in the master Orientation Manual.

5. **Item:** Commissioner Callner requested that the Commissioners include the issue of lobbying regarding the "sexual orientation bill" on the March 28, 2003 meeting agenda. Discussion should include the proper protocol and political ramifications.

Status: This item is included on the agenda.

6. **Item:** Commissioner Vasquez will draft and Commission Clerk Tanya Calahan will send an acknowledgement letter to the Joanne McCaughan and Kirk Hanson of the WA Federation of State Employees.

Status: Ms. Calahan sent the letter on March 10, 2003 under Commissioner Vasquez's signature.

7. **Item:** Commissioner Vasquez will send a letter to the City of Woodland acknowledging their efforts surrounding the “Bully Bill.”

Status: A status report will be given at the March 28, 2003 Commission meeting.

8. **Item:** Commission Clerk Tanya Calahan will update the 2003 Commission meeting schedule to include a meeting in Pasco in October 2003.

Status: The date is noted on the revised schedule.

9. **Item:** Executive Director Sue Jordan will coordinate a CABB meeting on the afternoon of March 27, 2003 in Olympia.

Status: The meeting is scheduled from 3 p.m. to 5 p.m. on March 27, 2003 in the second floor conference room of Evergreen Plaza in Olympia.